

SUPPLEMENTAL ESTIMATES OF APPROPRIATION, DE-
PARTMENT OF AGRICULTURE, 1939 AND 1940

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THREE SUPPLEMENTAL ESTIMATES OF APPROPRIATION FOR THE
DEPARTMENT OF AGRICULTURE, TOTALING \$280,000 FOR THE
FISCAL YEAR 1939 AND \$400,000 FOR THE FISCAL YEAR 1940, IN
ALL \$680,000

JANUARY 30, 1939.—Referred to the Committee on Appropriation and ordered
to be printed

THE WHITE HOUSE,
Washington, January 28, 1939.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress three supplemental estimates of appropriation for the Department of Agriculture, totaling \$280,000 for the fiscal year 1939 and \$400,000 for the fiscal year 1940, in all \$680,000.

The details of these supplemental estimates of appropriation, the necessity therefor, and the reasons for their transmission at this time are set forth in the letter of the Acting Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

BUREAU OF THE BUDGET,
Washington, January 27, 1939.

The PRESIDENT,
The White House.

SIR: I have the honor to submit for your consideration three supplemental estimates of appropriation for the Department of Agriculture, totaling \$280,000 for the fiscal year 1939 and \$400,000 for the fiscal year 1940, in all \$680,000, as follows:

FOOD AND DRUG ADMINISTRATION

Enforcement of the Federal Food, Drug, and Cosmetic Act: To enable the Secretary of Agriculture to carry out the provisions with respect to the listing and certification of coal-tar colors, contained in the act entitled "An act to prohibit the movement in interstate commerce of adulterated and misbranded food, drugs, devices, and cosmetics, and for other purposes," approved June 25, 1938 (52 Stat. 1040-1059), including the employment of persons and means in the District of Columbia and elsewhere, fiscal year 1939----- \$30, 000

Section 301 of the Federal Food, Drug, and Cosmetic Act of June 25, 1938, prohibits the introduction or delivery for introduction into interstate commerce of any food, drug, device, or cosmetic that is adulterated. This section is effective June 25, 1939.

Sections 402 (c), 501 (a), and 601 (e) declare a food, drug, or cosmetic (with certain exceptions) to be adulterated if it bears or contains a coal-tar color other than one from a batch that has been certified in accordance with the regulations of the Secretary of Agriculture.

Sections 406 (b), 504, and 604 provide that the Secretary shall promulgate regulations to govern the listing and certification of coal-tar colors, and section 706 provides a fee system designed to reimburse the Federal Treasury for the costs of such listing and certification. Section 706 becomes effective on June 25, 1939.

Funds available under the act of June 30, 1906, which is largely repealed as of June 25, 1939, are made available by the act of June 25, 1938, to carry out the provisions of this new act which take effect prior to the repeal of the old. No funds have been made available, however, for the work of coal-tar color listing and certification. It is clearly necessary that investigational and laboratory work in this field be done several months in advance of June 25, 1939, in order that food, drug, and cosmetic manufacturers may have available sufficient supplies of listed and certified colors when the prohibition against use of any noncertified colors becomes effective. The purpose of the above supplemental estimate of appropriation is to meet this need.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Enforcement of white-fringed beetle quarantine: To enable the Secretary of Agriculture to enforce a Federal quarantine to prevent the spread of the white-fringed beetle, including cooperation with States in enforcement of supplementary State quarantines; printing and binding; and purchase, exchange, operation, and maintenance of passenger-carrying vehicles, fiscal year 1939, to remain available until June 30, 1940 (5 U. S. C. 511, 512; 7 U. S. C. 151-167; 52 Stat. 344, 1126)----- \$250, 000

The white-fringed beetle, believed to have been introduced into the United States in cargoes of bone fertilizer from South America, came to the attention of the Bureau of Entomology and Plant Quarantine

about 2 years ago. Since that time it has become apparent that this insect is an exceedingly destructive pest, that it has established itself in various sections of Florida, Alabama, Mississippi, and Louisiana, and that it constitutes a serious menace to practically all crops grown in these and neighboring States.

Since July 1937 the Department of Agriculture has been cooperating with these States to control and eradicate this beetle. The Federal contribution to this work has been financed from the special appropriation for control of emergency outbreaks of insect pests and plant diseases (52 Stat. 344, 1126). It has become evident, however, that, in order to assure uniformly effective action in combating the insect, simplify procedures, and avoid possible embargo actions by uninfested States, a Federal quarantine is necessary. Accordingly, under the authority of the Plant Quarantine Act, and after public hearing as required by this act, the Secretary of Agriculture has promulgated the quarantine, effective January 16, 1939, bringing under regulation and Federal certification the interstate movement of a wide variety of materials which might serve as carriers, including soil, compost, nursery stocks, various kinds of plants and plant products, lumber, scrap metal, and other articles which come in contact with the soil. State quarantines will afford supplemental control over intrastate movement of such materials.

Since other financial provision could not be made immediately, the Federal quarantine is being temporarily financed from the special appropriation for control of emergency outbreaks of insect pests and plant diseases. While legally available for this purpose this appropriation is fully needed for control of emergency outbreaks of other insect pests, and should not be drawn upon for long-duration quarantines beyond their initial emergency periods. The estimate herein submitted is to meet the needs of the quarantine work from April 1, 1939, to June 30, 1940. Whether or not its continuance beyond the latter date will be necessary cannot be stated definitely at this time.

Dutch elm disease eradication: For an additional amount for Dutch elm disease eradication, fiscal year 1940 (5 U. S. C. 511, 512; 7 U. S. C. 151-167; 52 Stat. 732) ----- \$400,000

For the above purpose there was appropriated \$378,489 for the fiscal year 1939, and an equal amount has been submitted in the Budget for the fiscal year 1940. The supplemental estimates of appropriation for the fiscal year 1939, for the Department of Agriculture, which you transmitted to Congress January 5, 1939 (H. Doc. 89), included an additional amount of \$200,000 for the fiscal year 1939, for Dutch elm disease eradication and indicated the necessity of providing later an additional amount for the fiscal year 1940.

For the reasons set forth in House Document No. 89, it is desirable that the research, scouting, and supervisory phases of the Dutch elm disease work be provided for throughout the fiscal year 1940 on the increased scale contemplated by this estimate.

The foregoing supplemental estimates of appropriation are made necessary by reason of contingencies which have arisen since the transmission of the Budgets for the fiscal years 1939 and 1940. I recommend that they be transmitted to Congress.

Very respectfully,

D. W. BELL,
Acting Director of the Bureau of the Budget.

